

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0222

Z.A.P. DATE: January 9, 2007

ADDRESS: 3148 East SH 71

OWNER: McDuff Family Limited Partnership
(Jeanne E. Loar)

AGENT: Shaw Hamilton Consultants
(Shaw Hamilton)

ZONING FROM: I-RR

TO: P

AREA: 6.510 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant public (P) district zoning. If the requested zoning is granted, then 55 feet of right-of-way should be reserved from the existing centerline of State Highway 71 in accordance with the Transportation Plan, by way of Restrictive Covenant.

ZONING & PLATTING COMMISSION RECOMMENDATION:

January 9, 2007: *APPROVED P DISTRICT ZONING WITH A RESTRICTIVE COVENANT FOR RESERVATION OF RIGHT-OF-WAY ON SH 71 EAST; BY CONSENT.*

[J. GOHIL, J. PINNELLI – 2ND] (6-0, B. BAKER AND J. MARTINEZ – ILL; S. HALE - ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject platted lot is undeveloped, zoned interim – rural residence (I-RR) district and has direct access to State Highway 71 East. Along SH 71 East, the property is situated between an auto washing use and vacant land (formerly used for the sale of used manufactured homes) and two service stations with convenience stores (CS-CO; I-RR; GR; GR-CO). To the east and south along FM 973, there is a residential treatment / transitional housing facility (P-CO), vehicle maintenance and storage (I-RR), the Del Valle Correctional Facility, the Del Valle Community Center and recreation areas (County). The southwest portion of the lot is within Airport Overlay Zone AO-3, also known as the ½ mile buffer. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to zone the lot to the public (P) district in order to construct a 300-bed transitional housing facility for persons involved in a work-release program. Because the site exceeds one acre, the transitional housing use would be conditional and a conditional use permit requires review by the Commission.

Public zoning for the civic use described above is compatible with the surrounding commercial uses and the civic uses that have been established adjacent to the east and south.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	GR-CO; I-SF-2	Auto repair; Fast food; Single family residences
<i>South</i>	County	Correctional facility; Community center with recreation areas
<i>East</i>	I-RR; GR; GR-CO	Service station with convenience store
<i>West</i>	I-RR; CS-CO; AV	Auto wash; Service station with convenience store; Austin – Bergstrom International Airport

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Colorado River

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 750 – Del Valle Neighborhood Association 774 – Del Valle Independent School District
 786 – Home Builders Association of Greater Austin

SCHOOLS:

This site is served by the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-99-0085	I-RR to CS	To Grant CS-CO w/conditions	Approved CS-CO w/conditions (1/27/00).
C14-99-2052	DR; UNZ; I-SF-2; I-RR to LI-PDA	To Grant LI-PDA	Approved LI-PDA (9-28-00).
C14-01-0027	I-SF-2 to GR	To Grant GR-CO	Approved GR-CO w/conditions (4-19-01).
C14-01-0075	I-SF-2 to GR	To Grant GR-CO w/conditions	Approved GR-CO w/conditions (7-19-01).
C14-01-0103	I-RR to LI	Withdrawn by	Not applicable

		applicant	
C14-03-0047A	I-RR to GR	To Grant GR-CO	Approved GR (6-5-03).
C14-03-0047B	I-RR to GR	To Grant GR-CO	Approved GR-CO with CO for 2,000 trips (6-5-03).
C14-05-0	I-RR to P	To Grant P-CO	Approved P-CO (9-5-05).

RELATED CASES:

This property was annexed into the Full-Purpose Jurisdiction on September 6, 2001.

As shown in Exhibit B, the zoning area is platted as Lot 3 of the Morgan Subdivision, recorded on August 28, 1984 (C8s-84-101).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
SH 71 East	190 feet	90 feet	Freeway	No	No	350 Airport Blvd.

CITY COUNCIL DATE: March 22, 2007

ACTION:

ORDINANCE READINGS: 1st

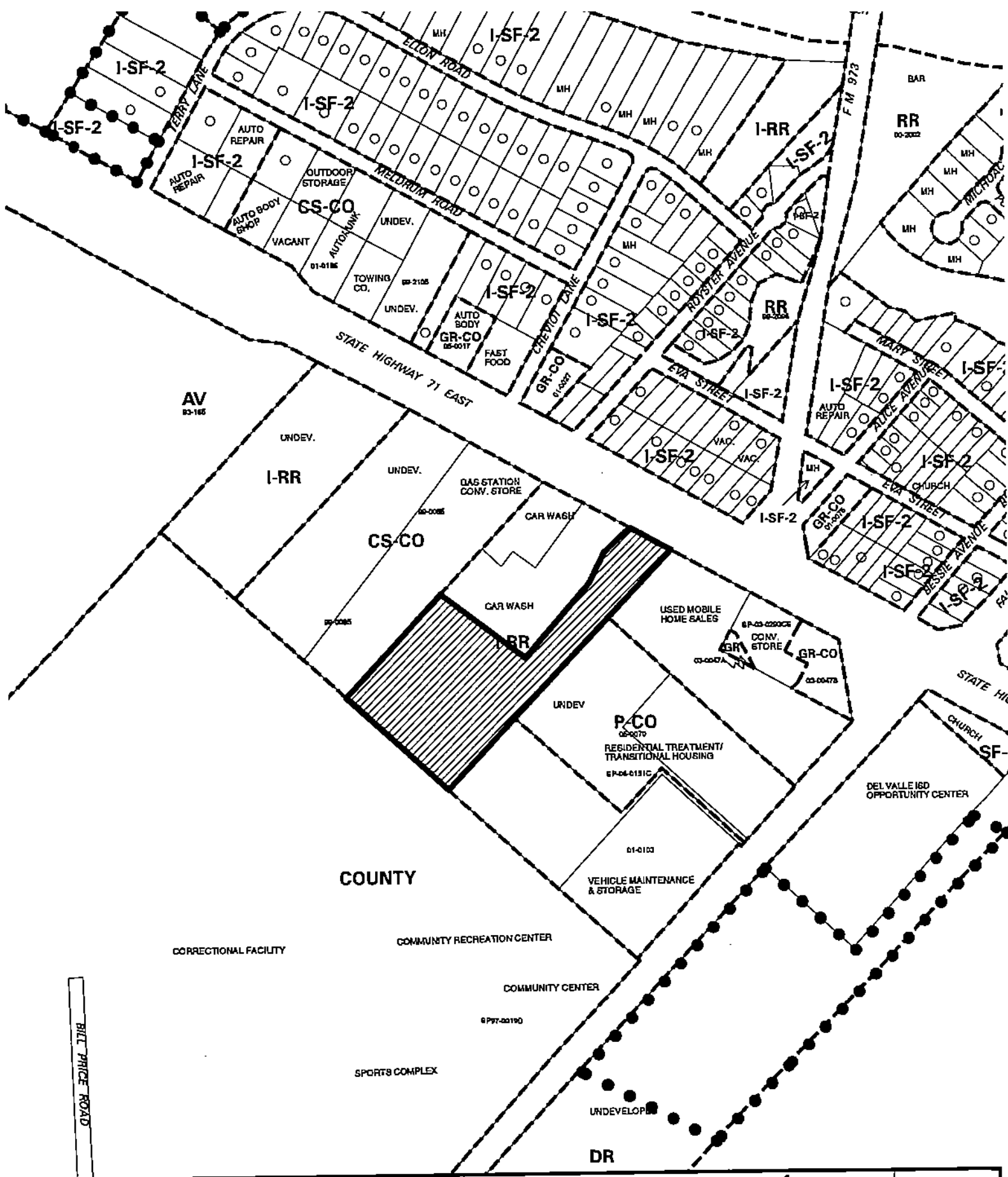
2nd





3rd

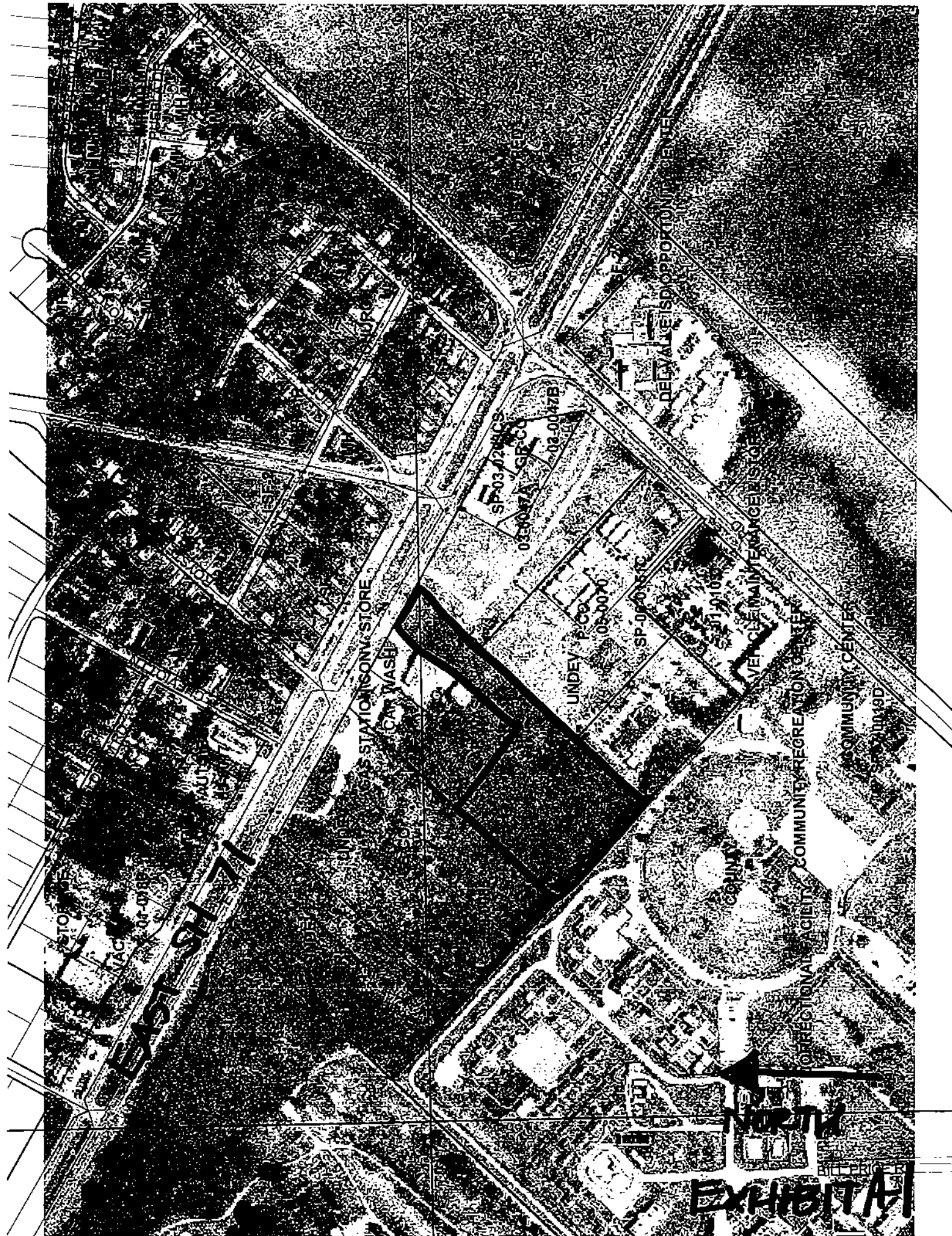
ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

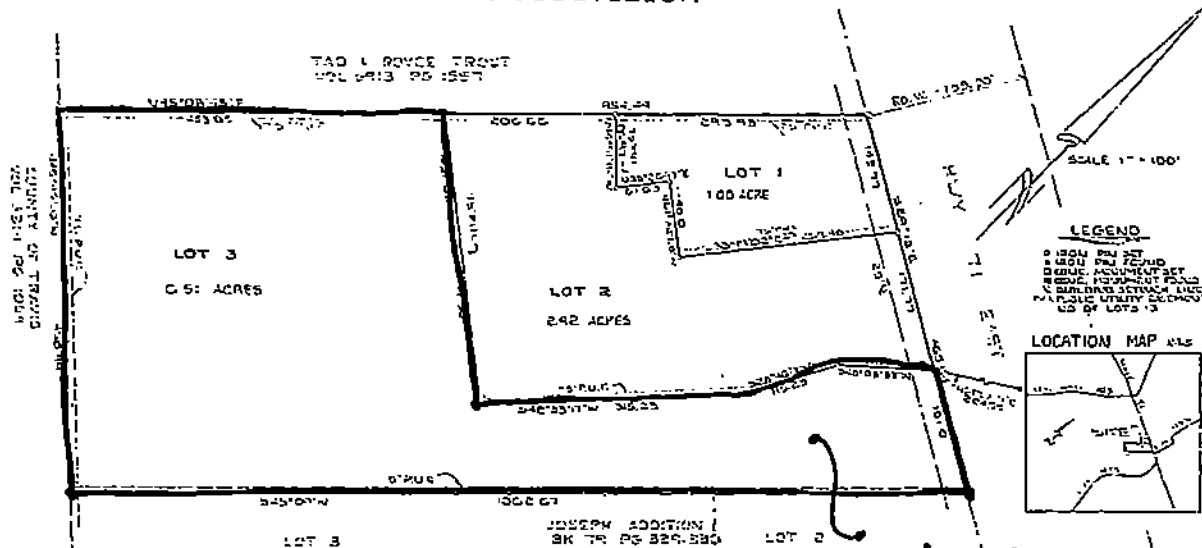
PHONE: 974-7719



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: W. WALSH	   CASE #: C14-06-0222 ADDRESS: 3148 E SH 71 SUBJECT AREA (acres): 6.510	ZONING <i>Exhibit A</i> DATE: 06-11 INTLS: SM	CITY GRID REFERENCE NUMBER P18
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MORGAN SUBDIVISION



STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS: THAT DEL VALLE DRIVE-IN GROCERY JOHN VENTURE, ACTING HEREIN BY AND THROUGH ROBERT G. BALLARD, AND WIFE, KATHLEEN T. BALLARD, JOHN H. BALLARD, AND WIFE, KAY S. BALLARD, AND ELIAS HUNTER AND WIFE, MARGARET HUNTER, OWNERS OF THAT CERTAIN TRACT OF LAND OUT OF AND PART OF THE SANTIAGO DEL VACIO GRANT, SITUATED IN TRAVIS COUNTY, TEXAS, CONVEYED TO IT BY DEED RECORDED IN VOLUME 5125, PAGE 127, OF THE TRAVIS COUNTY, TEXAS, DEED RECORDS, MORE PARTICULARLY DESCRIBED AS BEING ALL OF LOT 1, OUT OF THE "JOSEPH ADDITION", A SUBDIVISION OF RECORD IN PLAT BOOK 27, PAGES 37-38, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AS VACATED BY INSTRUMENT OF RECORD IN VOLUME 5773, PAGE 503, DEED RECORDS, TRAVIS COUNTY, TEXAS, DO HEREBY SUBDIVIDE 16.41 ACRES OF LAND, IN ACCORDANCE WITH THE MAP ON PLAT SHOWN HEREIN, SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, TO BE KNOWN AS "MORGAN SUBDIVISION", AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HAND, THIS 30 DAY OF April, 1984, A.D.

DEL VALLE DRIVE-IN GROCERY JOHN VENTURE:

Robert G. Ballard
ROBERT G. BALLARD, OWNER
3002 CHERRY TREE CIRCLE
AUSTIN, TEXAS 78731

Kathleen T. Ballard
KATHLEEN T. BALLARD, OWNER
3002 CHERRY TREE CIRCLE
AUSTIN, TEXAS 78731

John H. Ballard
JOHN H. BALLARD, OWNER
6805 BRONWOOD DRIVE
AUSTIN, TEXAS 78723

Kay S. Ballard
KAY S. BALLARD, OWNER
2205 BRONWOOD DRIVE
AUSTIN, TEXAS 78723

Ellis Hunter
ELLIS HUNTER, OWNER
2102 STEVENS COVE
AUSTIN, TEXAS 78723

Margaret Hunter
MARGARET HUNTER, OWNER
2102 STEVENS COVE
AUSTIN, TEXAS 78723

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROBERT G. and WIFE, KATHLEEN T. BALLARD, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

WITNESS MY HAND, THIS 30 DAY OF April, 1984, A.D.

Ann Sharp
PRINT NAME: Ann Sharp
NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS
MY COMMISSION EXPIRES: 9-30-85

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN H. and WIFE, KAY S. BALLARD, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

WITNESS MY HAND, THIS 30 DAY OF April, 1984, A.D.

Ann Sharp
PRINT NAME: Ann Sharp
NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS
MY COMMISSION EXPIRES: 9-30-85

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ELLIS and WIFE, MARGARET HUNTER, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

WITNESS MY HAND, THIS 30 DAY OF April, 1984, A.D.

Ann Sharp
PRINT NAME: Ann Sharp
NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS
MY COMMISSION EXPIRES: 9-30-85

SEALTH DEPARTMENT RESTRICTIONS

No structure on this subdivision shall be occupied until connected to a public water supply and to a public sewer system or to an individual sewage disposal system which has been approved by the Austin-Travis County Health Department.

James J. Green, P.E.
JAMES J. GREEN HEALTH OFFICER

7-26-84
DATE

NOTE: BALLARD'S TRAD SUBDIVISION IS NOT AFFECTED BY THE 10 YEAR FLOOD PLAIN
NOTE: JOINT USE CORRIDOR WILL BE FENCED FOR LOTS 1 & 2

NOTE: PRIOR TO CONSTRUCTION, DRAINAGE PLANS SHALL BE SUBMITTED TO THE OFFICE OF LAND DEVELOPMENT SERVICES OF THE CITY OF AUSTIN.
RAINFALL RUNOFF SHALL BE KEPT TO THE AMOUNT EXISTING AT UNDEVELOPED STATUS.

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PLAT RECORDS, TRAVIS COUNTY, TEXAS

LAND DEV. SERV.
CITY OF AUSTIN

CB5-84-61

EXHIBIT B
RECORDED
PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant public (P) district zoning. If the requested zoning is granted, then 55 feet of right-of-way should be reserved from the existing centerline of State Highway 71 in accordance with the Transportation Plan, by way of Restrictive Covenant.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

P, Public District, zoning is intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities. This district is intended for properties, used, reserved, or intended to be used for a civic or public institutional purpose or for major public facilities. The proposed zoning of the property to accommodate the proposed use of a transitional housing facility is consistent with the purpose statement of the district sought.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*

Public zoning for the civic use described above is compatible with the surrounding commercial uses and the civic uses that have been established adjacent to the east and south.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped, relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the P zoning district is established by a conditional use site plan.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Colorado River Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for State Highway 71. If the requested zoning is granted, then 55 feet of right-of-way should be reserved from the existing centerline of State Highway 71 in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55). Please contact this reviewer with any questions regarding this comment.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utility service. The landowner, at his own expense will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and relocation. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.

Compatibility Standards

This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

This property is within the Airport Overlay Zone AO-3. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

The site is subject to compatibility standards. Along the north property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line

Additional design regulations will be enforced at the time a site plan is submitted.